

1947-1948 Chantry Canyon, Cook & Ortner Co. to E. Park  
Lee Co.

Cook, Ortner, Chantry

CA-5000  
T-Property

Virginia,

In the Circuit Court of Lee County.

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To the Honorable W. T. Miller, Judge of said Court:

-----Humbly complaining, your orators, A. W. Couk and W. E. Orr, Merchants and partners under the firm name of Couk & Orr, and T. J. Chandler, who sue for themselves and such other lien creditors of S. C. Burk as shall come in, take ~~part~~ part in and share the costs of this suit, would respectfully represent and shew unto your Honor, that at the November term 1895, of your Honor's Court, your orators, the said Couk & Orr, recovered a judgement against the said S. C. Burk for the sum of \$20.39, with legal interest thereon from the 26th day of November 1894, 'till paid and \$7.96 costs, no part of which judgement has ever been paid; that said judgement was duly docketed on the 2nd day of December 1895, in the Clerk's Office of the County Court of said county, a copy of said judgement and the docketing of the same is herewith filed as part hereof marked " A;" that ~~xxxxxx~~ on the 18th day of May 1896, Russell & Jessee, Administrators, etc., recovered before a Justice of the Peace a judgement against the said Burk, your orator, T. J. Chandler and J. D. Morrison for \$9.32, with interest from the 5th day of March 1896, 'till paid and \$2.25 ~~xxx~~ costs no part of which said judgement has been paid by said Burk, but your orator, T. J. Chandler, being security for the said Burk in said judgement on the day of 1896, paid the full amount thereof to the said plaintiff, said last named judgement was duly docketed on the 23rd day of December 1896, in the Clerk's Office of the said Lee County Court, a copy of the same and the docketing thereof is herewith filed as part hereof marked " B;" each of said judgements were rendered on notes waiving the homestead exemptions.

-----~~The~~ Your orators further represent and shew unto your honor that the said S. C. Burk is the owner in his own right of a tract of one hundred acres of land, more or less, lying and being in said county of Lee, in Back Valley and near the branch running into Wallen's Creek at the residence of Mary Pugh, and in about one-fourth of a mile of A. C. Flanary's mill, and is a part of the land formerly owned by Thomas S. Burk, deceased, and adjoins the lands of



the said A. C. Flanary, Micheal Sword and A. J. Bledsoe, and upon ~~which~~ which tract of land the said judgements are a lien.

-----Your orators futher charge that there are no other liens upon said land, and that the rents and profits of the same will not in five years satisfy their said judgements, and that they are therefore to have the said land or a sufficiency thereof sold to satisfy their said judgements.

-----Your orator, the said T. J. Chandler, having the right as he is advised to be substituted to the lien of the said judgement paid by him to the said Russell & Jessee, Administrators, etc., as aforesaid.

-----In consideration whereof your orators ~~may~~ pray that the said S. C. Burk be made a party defendant to this bill and answer the same, but not on oath, that being waived; that on a hearing the said land or so much thereof as may be necessary, be sold to satisfy the said liens and the costs of suit and expense of sale. And that your orators be granted all such other further and general relief as in the premises is just and right.

May process issue, etc., directed, etc. And your orators will ever pray, etc.

Or & Blaukenship P.C.



O. & W.

Court & Orr, et al.

vs. } Bill.

S. C. Burk.

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1897 2nd January rules for  
presented to D. & C.

11 1st Feb by rules D & C conf  
& Cause set for hearing.



Couk & Orr, et al ., Plaintiffs.

Against ( In Chancery.

S. C. Burk, Defendant.

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This cause came on again this day to be heard upon the papers  
formerly read therein, and the report of Special Commissioner George  
W. Blankenship, filed in the cause on the 28th day of May 1897, re-  
porting the collection of the plaintiffs debts, interest and costs,  
and the complete disbursement to those entitled, which report has been  
filed the time required by law, *and was argued by counsel* and the same being unaccepted to, the  
same is confirmed, and the cause stricken from the docket.



Cook + Orr, et al.

rs. } Decree final.

S. C. Bank.

C.O.B. p 593.

Enter this decree  
M J M

June 9, 1897



Couk and Orr,

Complainants,

vs.

In Chancery,

J.C.Noel, et al,

Defendants.

This cause came on this day to be again heard ypon the papers formerly read therein and the report of Special Commissioner R.L.Pemington, filed herein on the 9th day of June, 1897, and was argued by Counsel. On consideration of all which and for reasons appearing to the court, it is adjudged ordered and decreed, that the said report of the said Pennington be confirmed and the deed reported therein confirmed, and the said D.L.Jessee will pay to the said R.L. ennington the sum of \$5. 0 for making and executing the same, and upon payment of the said sum the clerk of this court will deliver to the said D.L.Jessee the said deed reported in said report. And ther remaining nothing furthur to be done in this cause the same is stricken from the docket.

After this time the 9th, 1897.  
.....  
C. Noel et al. Defts.  
Docket Entry.  
J. C. Noel, Compt.



ouk and Orr Compl t.

vs. Decree final,

J. C. Noel et al. Defts.

.....

Enter this June the 9th, 1897.

*W. Z. m*

*2003 p. 591*

this case the same is stricken from the docket.

in said report. And then remaining nothing further to be done in court will deliver to the said D. L. Lessee the said deed reported in the same, and upon payment of the said sum the clerk of this to the said R. L. Pennington the sum of \$3. 0 for making and executing reported therein confirmed, and the said D. L. Lessee will be that the said report of the said Pennington be confirmed and the same reported to the court, it is adjudged ordered and decreed, was signed by Counsel. On consideration of all which and for reasons R. L. Pennington, filed herein on the 9th day of June, 1897, and formerly read therein and the report of Special Commissioner.

The cause came on this day to be again heard upon the papers J. C. Noel, et al,

Defendants.

vs.

In Chancery,

Ouk and Orr,

Complainants,



Couk & Orr, et al., Plaintiffs.

Against ( In Chancery."

S. C. Burk, Defendant."

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This cause came on this day to be heard upon the bill of the plaintiffs<sup>449</sup>, exhibits filed therewith, process duly executed on the defendant and was argued by counsel. And the defendant failing to appear demur, plead or answer the bill is taken for confessed against him. On consideration thereof it ~~xxxx~~ is adjudged, ordered and decreed that the said Couk & Orr recover against the defendant \$28.35, the amount of their judgement in the bill mentioned, with legal interest on \$20.39 part thereof from the 26th day of November 1894, until paid; and that the plaintiff T. J. Chandler recover of the defendant the sum of \$11.57 the amount of the judgement paid by him as security for the defendant with interest on \$9.52 part thereof from the 5th day of March 1896, until paid, and that the said plaintiff's recover against the defendant the costs of this suit; and unless the said recoveries are paid within thirty days from the adjournment of this ~~ex~~ Court, then George W. Blankenship, ~~Xx~~ who is appointed a Commissioner for the purpose will proceed to sell at the front door of the Court House of this county on some court day ~~xxx~~ to the highest bidder on one and two years time a sufficiency of the tract of land in the bill mentioned to ~~pay~~ the amount of the said ~~recoveries~~, ~~after having~~ recoveries and expense of sale; after having advertised ~~said sales~~ the time terms and place of sale for at least thirty days by written notices posted at the front door of the Court House of this county and in the vicinity of said land, except so much as will be necessary to pay the costs of suit and expense of sale will be required to be paid in hand and for the deferred payments he will take bonds with good security bearing interest from date, but before selling he will execute bond before the Clerk of this Court in the ~~penalty~~ penalty of \$200.00 conditioned according to law. And he will report his action to the next term of this Court. And the cause is continued.



Cauk + Orr itac

Decree

S. C. Burk.

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Eu. C. O. B. p. 538.

Enter this decree  
H. J. M.

Mar 5<sup>th</sup> 1897.



Virginia, Lee County, to-wit:-

A. W. Couk and W. E. Orr, merchants and partners in trade under the firm name and style of Couk & Orr, assignees of G. D. Glass, who was assignee of W. S. Sage, who was assignee of P. H. Larmer and P. H. Allen, merchants and partners in trade under the firm name and style of P. H. Larmer & Company, complain of S. C. Burk, defendant, of a plea that he render to the said plaintiffs the sum of \$20.39, with legal interest thereon from the 26th day of November 1893, which to the said plaintiffs he owes and from them unjustly detains. And thereupon the plaintiffs say that heretofore, to-wit: on the 25th day of November 1893, the said S. C. Burk by a certain writing obligatory, sealed with his seal, the date whereof is the day and year last aforesaid, <sup>which writing is to the court here read</sup> ~~promised~~ promised and bound himself, heirs, executors, &c., to pay to the order of the said P. H. Larmer & Co., one day after the date of the said writing obligatory, the sum of \$20.39. <sup>And the plaintiffs say, after</sup> ~~And the plaintiffs say, after~~ after the making of the said writing obligatory, the said P. H. Larmer & Co. made an endorsement on the said writing obligatory and subscribed their firm name thereto and thereby the said P. H. Larmer & Co. assigned the said writing obligatory to the said W. S. Sage, whereof the said S. C. Burk then and there had notice, and after the said assignment the said W. S. Sage made an endorsement on the said writing obligatory and subscribed his name thereto and thereby assigned the said writing obligatory to the said G. D. Glass, whereof the said S. C. Burk then and there also had notice; and after the said assignment to-wit: on the 9th day of May 1894, the said G. D. Glass made an endorsement on the said writing obligatory and subscribed his name thereto and thereby assigned the said writing obligatory to the said plaintiffs, whereof the said S. C. Burk then and there also had notice. And the plaintiffs aver that although the said writing obligatory has ~~xi~~ long since become payable the said S. C. Burk hath not as yet paid the said sum of \$20.39, or any part thereof, either to the said P. H. Larmer & Co., <sup>or their order</sup> before notice of their said assignment of the said writing obligatory, or to the said W. S. Sage after the said assignment to him of the said



writing obligatory and before notice of his assignment thereof to the  
said G. D. Glass, or to the said G. D. Glass after the said assignment to  
to him of the said writing obligatory and before notice of his ~~assignment~~  
assignment thereof to the plaintiffs, or to the said plaintiffs since  
the said assignment to them, but to pay the same and every part thereof  
hath hitherto wholly refused and still doth refuse, to the damage of  
the said plaintiffs \$20.39. And therefore they bring suit, &c.

*Att. Blakely Esq. P.Q.*



\$ 20.39

One day after date I  
promise and bind my self  
heirs executors &c. to pay.  
At the order of J H Larmon & Co  
the sum of twenty Dollars & no part  
into for value received and  
hereby waive the benefit of  
the Homestead exemption  
or any other Law that is  
now or may hereafter be  
enforced to prevent the  
collection of the same in  
this or any other State  
Witness my hand and seal  
this Nov 25 - 1893

E. C. Brock (Seal)



I have the within note  
received of the Bank of the State of New York

I assign the within note  
over to Bank & Co for value  
received this the 9th May 1894  
& I hereby stand responsible  
for the payment of same.  
L. P. Glass,

02039  
L. P. Glass  
28

I sign the within note  
over to the Bank  
P. H. Sumner & Co



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

*again*  
WE COMMAND YOU,

That you summon

*S C Burk*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the court-house on the *3rd* Monday in *October* 1895, ~~next~~ to answer

*A W Cook & W E Orr Merchants & partners  
in trade under the firm name of Cook & Orr  
assignee of G. S. Glass assignee of W. S. Sage  
assignee of P. H. Larmer & P. H. Allen Merchants  
& partners in trade under the firm name of P. H. Larmer & S*

upon a plea of *Debt for \$20.39* damages *\$ 20.39*

And have them there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at

the court-house, the *7th* day of *October* 189*5*, and in the

*120th* year of the Commonwealth.

*A B Munsey* Clerk.

A copy—Teste:

Clerk,



Cook & Orr assignee

vs. Sumo Debt

J. C. Burk

Orr, B & Ewing P 9

2<sup>nd</sup> Oct Ruins 1875

Exhibit ...

1 ...

2 ...

3 ...

4 ...

J. C. Burk

This Oct 21

Eron 136

for W. P. ...



Bank & Orr, assignees <sup>vs.</sup>  
vs. } Dec. Bond.

S. C. Bank

Bond filed.

Orr, Bankruptcy & Coing  
P. J.

1895 2<sup>nd</sup> Oct rules & fees  
filed. Sums executed  
& Com order

" 1st. P. J. & Co. taken  
the last Monday in  
October Com. Ord. Coff.

Peffo Costs  
P. J.

November Term 1895  
Judgt final O B 4 P. 470



# Judgment Lien Docket

Date of Judgment	By what Court	Time of Rendering	Names and Description of Parties	Debits, Damages, interest and costs	Amount and Date of Credits
1895 Nov 22	Lee Circuit Court	1895 Dec 2 <sup>d</sup>	<div> <div> <div>Leone &amp; Co</div> <div>VS</div> <div>J. L. Burr</div> </div> <div> <div>Pl.</div> <div>Def.</div> </div> </div>	<div> <div>Debt.</div> <div>Judgment for \$20.39 with legal interest thereon from the 26<sup>th</sup> day of Nov 1894 till paid costs c 3.71 Tax 1.00 Shff 50. atty 2.50</div> <div>c c 25</div> </div>	

A copy -

Teste: J. V. F. Reimond Clerk.



"A"

clerk 25-

# Judgment

# Liens Docket

Date of Judgment	By what Court Rendered	Time of Doctering	Names and description of Parties	Debt, Damages, interest and costs	Amount and Date of Credits
1896. May 18 <sup>th</sup>	Justice of Peace	1896 Decr 23 <sup>d</sup>	Russell & Jesse Adams &c vs Stephen C. Burr, L. J. Chaudier, & J. Morrison	Plff. } Debt }	Judgment for \$9.32 with interest from the 5 <sup>th</sup> day of March 1896, till paid & costs \$2.00 C 75.

A Copy

Liste: J. V. F. Richmond Clerk



"B."

Clerk 25

Know all Men by these Presents, That we George W Blankenship  
and James W Orr

are held and firmly bound unto the Commonwealth of Virginia, in the sum of \$200.00  
Two hundred dollars, to payment whereof, well and truly to be made to  
the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs,  
executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the  
benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to  
discharge any liability arising under this bond, or by virtue of said office or trust, in any cur-  
rency, funds, counter claims or offsets other than legal-tender currency of the United States.

Sealed with our seals, and dated this 17th day of April  
one thousand eight hundred and Ninety Seven

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound George  
W Blankenship  
shall faithfully perform the duties of his office or trust, as Commissioner

under a decree of the Circuit Court of the County of Lee, pronounced on the 8th day  
of March, 1897, in the suit therein depending under the name and style  
of Bouk & Orr et al vs S. L. Burk,

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the  
presence of

A Copy } George W Blankenship [SEAL.]  
Teste A. B. Munsey } James W Orr [SEAL.]  
[SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day \_\_\_\_\_  
suret on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court  
of the County of Lee, that \_\_\_\_\_ estate after the payment of all \_\_\_\_\_ just  
debts, and those for which \_\_\_\_\_ bound as securit for others, and expect to  
have to pay \_\_\_\_\_ worth the sum of \_\_\_\_\_  
\_\_\_\_\_ dollars.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 1897

Teste: \_\_\_\_\_ Clerk



Bank + Mr et al.  
Copy of  
to { COMMISSIONER  
BOND.

Commonwealth.  
E. L. Bank

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon *S. C. Burk*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *January*, 189*7*, to answer a

bill in Chancery exhibited against *him* in our said court by *A. W. Louk & W. E. Orr merchants & partners in trade under the firm name of Louk & Orr and L. J. Chandler*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *24th* day of *December* 189*6*, and in the *12th* year of the Commonwealth.

*A B Munsey* Clerk.



Cook & Orr et al.

SUPREMA.

vs.

IN CHANCERY.

S. C. Burk

Orr & Blankenship p. q.

To 2<sup>nd</sup> Jan'y Rules.

CIRCUIT COURT.

Executed on January  
11<sup>th</sup> 1897 by delivering  
a copy of the within  
to S. C. Burk  
Evon Bleds  
JS

for W. P. Weston  
SSR



1897 2nd July rules 8/12/24  
 11 1st July rules D & C  
 Cause set for hearing

Plffs costs  
 Clerk 4.16  
 Tax 1.50  
 Shff 1.00  
 atty 15.00  
 Co C 50  
 Estimated 5.00  
 \$27.16

Amount in full paid money  
 \$668

July 11th

No. \_\_\_\_\_

IN

Lee Circuit Court.

Cook & Orr, and  
 J. J. Chandler,  
 Plaintiffs.

vs.

S. C. Burk,

Defendant.

Action ~~for~~ to enforce judg-  
 ment liens.

Docket \_\_\_\_\_ Page \_\_\_\_\_

Orr & Blankenship,

Attorneys for Plaintiff

Attorney for Defendant



# MEMORANDA.

# WITNESSES.

**DIRECTIONS.**--Place papers on TOP OF RUBBER.  
Fold ends first, then sides. Throw the rubber  
cords over the ends and package is complete.